

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DWAYNE E. LOUCKS,</b>	:	<b>CIVIL ACTION NO. 1:04-CV-0366</b>
	:	
<b>Petitioner</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>JASON JAY, et al.,</b>	:	
	:	
<b>Respondent</b>	:	

**ORDER**

AND NOW, this 25th day of April, 2005, upon consideration of plaintiff's second motion for appointment of counsel (Doc. 63), the first motion having been denied by order of court dated June 17, 2004 (Doc. 20), and it appearing from the complaint, amended complaint, motions, and briefs filed by plaintiff that plaintiff is capable of properly and forcefully prosecuting his claims with adequate investigation and discovery requests and appropriate citations to governing authority, and that resolution of plaintiff's claims neither implicates complex legal or factual issues or requires the testimony of expert witnesses, see Montgomery v. Pinchak, 294 F.3d 492, 499 (3d Cir. 2002) (citing Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993)), it is hereby ORDERED that the motion (Doc. 63) is DENIED. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge